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EXAMINER

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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 09/496,698  
Filing Date: February 02, 2000  
Appellant(s): SIMCHIK ET AL.

**MAILED**

**JUL 05 2006**

**Technology Center 2600**

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Mark S. Svat  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed 04/03/06 appealing from the Office action mailed 6/24/05.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is incorrect. A correct statement of the status of the claims is as follows:

This appeal involves claims 8-12 and 27-31, which are all claims remaining in the application.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

6,061,700

BROBST et al.

5/9/2000

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

**Claims 8-12 and 27-31** are rejected under 35 U.S.C. 102(e) as being anticipated by Brobst *et al.* (U.S. Patent Number 6,061,700).

For completeness, the rejection, which was cited in the Office action dated 6/24/05 is printed below.

Regarding **claim 8**, Brobst discloses a method suitable for use with a printing system for dynamically linking changing content present in a page in a network with a document (see abstract, column 6, lines 17-42, and column 7, lines 2-28), the method comprising the steps of inserting a link into the document (column 5, lines 21-41, and column 6, lines 42-column 7, line 10), the link corresponding to a page present in the network, wherein the page includes a web page (column 5, line 33-column 6, line 16), automatically launching a browser in response to the link (column 6, lines 17-42, and column 7, line 6-column 8, line 16), automatically retrieving the content of the page from the network (column 6, line 54-column 7, line 19, and column 8, lines 17-31), and automatically converting the content of the page into an image file suitable for insertion into the document (see abstract, column 6, lines 43-53, and column 7, line 10-column 8, line 16), and automatically inserting the converted content into the document (see abstract, column 6, lines 43-53, and column 7, line 10-column 8, line 16).

Regarding **claim 9**, Brobst discloses the method discussed above in claim 8, and further teaches that the step of inserting a link comprises the step of inserting a uniform resource locator

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(URL) into the document (column 5, lines 21-41, and column 6, lines 42-column 7, line 10), and wherein the step of launching comprises the step of launching a web browser, wherein the URL corresponds to a web page in the network (column 6, lines 17-53, and column 7, line 6-column 8, line 16).

Regarding *claim 10*, Brobst discloses the method discussed above in claim 8, and further teaches that the step of inserting comprises the step directly inserting converted content into the document such that when the document is accessed the converted content is displayed as a readable part of the document (see abstract, column 6, lines 6-53, and column 7, line 10-column 8, line 16).

Regarding *claim 11*, Brobst discloses the method discussed above in claim 8, and further teaches that the page includes a web page and the browser includes a web browser (column 6, lines 17-42, and column 7, line 6-column 8, line 16), further comprising the step of automatically, dynamically inserting the link into the document to dynamically retrieve content associated with the web page for subsequent incorporation into the document (see abstract, column 6, lines 43-53, and column 7, line 10-column 8, line 16).

Regarding *claim 12*, Brobst discloses the method discussed above in claim 8, and further teaches of the step of repeating the steps of launching, retrieving, converting, and inserting as a function of the number of links inserted into the document (column 6, line 54-column 7, line 19, and column 8, lines 17-31).

Regarding *claim 27*, Brobst discloses the method discussed above in claim 8, and further teaches that the content of the page is inserted into the document such that when the document is

printed into a hardcopy format the content of the page is printed into the hardcopy format as part of the document (see abstract, column 6, lines 17-42, and column 7, lines 2-28).

Regarding *claim 28*, Brobst discloses a printing system for automatically and dynamically linking content from an existing network page into a document generated using a document creation algorithm (see abstract, and column 6, lines 17-53), the system comprising a document creation algorithm for creating, retrieving or assembling a document (see abstract, and column 6, lines 17-53), a link facility for manually creating and inserting a network link into the document (column 5, lines 21-41, and column 6, lines 42-column 7, line 10) wherein the link is associated with an existing network page (column 5, line 33-column 6, line 16), a browser for automatically accessing and retrieving the content of the network page associated with the link (column 6, line 54-column 7, line 19, and column 8, lines 17-31), and a production agent for automatically converting the content of the network page into an image file and for automatically inserting the content into the document (see abstract, column 6, lines 43-53, and column 7, line 10-column 8, line 16).

Regarding *claim 29*, Brobst discloses the system discussed above in *claim 28*, and further teaches that upon subsequent access of the document, the browser launches automatically accessing and retrieving the most recently updated content of the network page without need for action or knowledge of a user (column 6, line 54-column 7, line 19, and column 8, lines 17-31).

Regarding *claim 30*, Brobst discloses the system discussed above in *claim 28*, and further teaches that upon subsequent access of the document, the production agent automatically converts the content of the network page into the image file and inserts the content of the

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network page into the document without need for action or knowledge of the user (see abstract, column 6, lines 43-53, and column 7, line 10-column 8, line 16).

Regarding *claim 31*, Brobst discloses the system discussed above in claim 29, and further teaches that the document and the inserted content of the network page are readily available in a readable format for display on a user interface for printing (see abstract, column 6, lines 17-42, and column 7, lines 2-28).

#### **(10) Response to Argument**

In response to applicant's argument regarding the rejection of claim 8, which was cited in the Office action dated 6/24/05 as being anticipated by Brobst et al., whereby applicant argues on page 4 that Brobst fails to teach of "a page in a network" and "a document", as claimed, as claim 8 clarifies that the page from a network is a web page that is inserted into a document. Brobst teaches in column 5, lines 11-30 that "the web page formatting mechanism 128 which takes a number of selected web pages, collects the URLs, and creates a single document which may be termed a conglomerate or flattened web page. The term 'flattened web page' is used herein to convey with imagery that several related plates in a typical cross-linked tree-like hierarchy are all assembled or 'flattened' into a single page, thereby removing cross-links and placing the various pages in sequential order." Thus, Brobst states that the conglomerate or flattened web page is "a single document".

Continuing, as seen in Fig. 4, and read in column 5, lines 42-67, Brobst describes web pages having a number of included links. Particularly, Brobst states that "Nesting structure 400 has at least one selected web page 411 (e.g., first selected web page 411 and/or second selected web page 450) with a number of links 421-439 (i.e., Link 1, Link 2, Link 3) to other pages 441-

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448." Thus the conglomerate web page is constructed by inserting the image of the web pages of the number of links included in the selected web page. Therefore, Brobst is teaching that web pages are automatically gathered based on URLs and are inserted into the single document to create the conglomerate web page. This is further read in column 10, lines 33-48, wherein Brobst states that "Once the sections of data have been specified, any EMBED and EMBEDSRC tags are located, and the corresponding associated sections are inserted into the corresponding related web page at the corresponding EMBED or EMBEDSRC locations (step 944). This process is continued until all the URLs in the URL container that have the EMBED or EMBEDSRC attribute have been inserted into the conglomerate page. All the selected pages are collected and placed into the new conglomerate page to complete the web page formatting process."

Further, in response to applicant's arguments on page 4, whereby applicant argues that Brobst fails to teach of the step of "automatically converting the content of the page into an image file suitable for insertion into the document", and discusses sections in Brobst that the applicant states were cited by the examiner, being column 6, lines 17-42 and column 7, line 10-column 8, line 16. First, the examiner notes that in the Office action dated 6/24/06, the cited portions in Brobst for that particular limitation did not include column 6, lines 17-42, but rather column 6, lines 43-53. In this section Brobst states that "Conglomeration mechanism 560 takes the selected URLs and formats them into a flattened web page. Because apparatus 500 flattens many lined web pages into a single conglomerate web page, the standard print function supplied with any browser will print the conglomerate web page." Thus, Brobst teaches that the conglomeration mechanism 560 formats collected web pages into one image, called the single conglomerate image. This formatting includes a process that converts the content of a web page

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into an image file that is suitable for insertion into the document, which is the conglomeration web page. This is further read in column 10, line 55-column 11, line 4, wherein Brobst states that "A tool for performing this conversion of existing HTML allows a user to quickly convert pages to a format in accordance with the present invention that allows formatting mechanism 128 to process these pages as if they were originally developed using the attributes defined therein.

Therefore, the examiner believes that the rejection of independent claim 8, which was cited as being anticipated by Brobst et al, should be maintained.

In response to applicants arguments regarding the rejection of dependent claim 10, whereby applicant argues on page 5, that Brobst fails to teach of directly inserting the converted content into the document. As discussed above, Brobst states that the conglomerate web page is a single document. Further, as read in column 10, line 55-column 11, line 4, data is formatted, which includes a conversion process, so that the data is represented in the conglomerate web page. Thus, Brobst teaches of the limitation requiring that the inserting comprises directly inserting the converted content into the document such that when the document is accessed the converted content is displayed as a readable part of the document, as stated in dependent claim 10.

Therefore, the examiner believes that the rejection of dependent claim 10, which was cited as being anticipated by Brobst et al, should be maintained.

In response to applicant's arguments regarding the rejection of dependent claim 27, whereby applicant argues on page 6, that Brobst fails to teach of when the document is printed into a hardcopy format, the content of the page is printed into the hardcopy format as part of the document. As read in the abstract, column 3, lines 31-40, and column 6, lines 43-53 of Brobst,

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the conglomerate web page is printed. Reviewing, the conglomerate web page is a single document that includes an original web page, along with subsequent web pages indicated by links in the original web page and/or the retrieved web pages. As additionally read in column 7, lines 16-19, Brobst states that "The flattened (i.e., conglomerate) web page is in a form which may be ...printed". Thus, Brobst teaches of the limitation requiring that the content of the page is inserted into the document such that when the document is printed into a hardcopy format the content of the page is printed into a hardcopy format as part of the document, as stated in claim 27.

Therefore, the examiner believes that the rejection of dependent claim 27, which was cited as being anticipated by Brobst et al, should be maintained.

In response to applicant's argument regarding the rejection of independent claim 28, which was also cited in the Office action dated 6/24/05 as being anticipated by Brobst et al., whereby applicant argues on pages 6 and 7 that Brobst fails to teach of "a production agent for automatically converting the content of the network page into an image file and for automatically inserting the content into the document", stating that the sections indicated by the examiner were column 6, lines 17-42 and column 7, line 10-column 8, line 16. In the Office action dated 6/24/05, the examiner cited the abstract, column 6, line 43-54, and column 7, line 10-column 8, line 16 to teach these features. In column 6, line 43-54, Brobst teaches that the conglomeration mechanism 560 formats collected web pages into one image, called the single conglomerate image. This formatting includes a process of converting the content of a web page into an image file that is suitable for insertion into the document, which is the conglomeration web page. This is further read in column 10, line 55-column 11, line 4, wherein Brobst states that "A tool for

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performing this conversion of existing HTML allows a user to quickly convert pages to a format in accordance with the present invention that allows formatting mechanism 128 to process these pages as if they were originally developed using the attributes defined therein.

Therefore, the examiner believes that the rejection of independent claim 28, which was cited as being anticipated by Brobst et al, should be maintained.

In response to applicant's arguments regarding the rejection of dependent claim 29, whereby applicant argues on pages 7 and 8, that Brobst fails to teach of upon subsequent access of the document, the browser launches automatically accessing and reviewing the most recently updated content of the network page without the need for action of knowledge by the user. Further, applicant argues that Brobst fails to teach of an automatic update each time the document is accessed. The examiner notes that the current claim language does not particularly require that each time the document is accessed, an automatic update occurs, as argued by applicant, but rather "upon subsequent access of the document, the browser launches automatically accessing and retrieving the most recently updated content of the network page without need for action of knowledge of a user". With this, as further read in column 7, lines 29-60, Brobst states that "If the user-defined dig level for the selected URL is greater than zero (step 720), then for each URL collected it necessary to recursively call (i.e. dig) into the nesting tree structure (step 724) to collect the other related URLs and place them in the URL container according to the relation criteria (i.e., digging level). This process is continued until all selected and related URLs are collected and placed in the URL container." Brobst continues with an example having the digging level set to three. Thus, Brobst is teaching that when the digging level set by the user is higher (for example, 3), upon browsing an added web page to the

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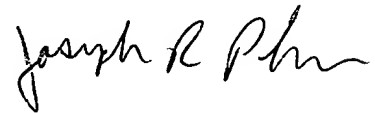
conglomerate web page (thus "upon subsequent access of the document"), if links are found on that added web page, a new web page is retrieved and added to the conglomerate web page. This newly retrieved and added web page would inherently include the most recently updated content. Thus, Brobst can be interpreted as teaching the limitation of upon subsequent access of the document, the browser launches automatically accessing and retrieving the most recently updated content of the network page without need for action of knowledge of a user, as required in dependent claim 29.

Therefore, the examiner believes that the rejection of dependent claim 29, which was cited as being anticipated by Brobst et al, should be maintained.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Joseph R. Pokrzywa

  
JOSEPH R. POKRZYWA  
PRIMARY EXAMINER

Conferees:

Edward Coles

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